

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RUTH ANDERSON,

Plaintiff,

v.

VETERANS AFFAIRS ADMINISTRATION,
et al.,

Defendant.

Case No. 3:25-cv-05389-TL

REPORT AND
RECOMMENDATION

NOTED FOR JULY 7, 2025

On May 19, 2025, Plaintiff Ruth Anderson filed an application to proceed *in forma pauperis* (“IFP”). (Dkt. 1.) On May 19, 2025, this Court ordered Plaintiff to either show cause why her IFP application should not be denied or to file an amended application by June 6, 2025. (Dkt. 4.) The Court explained that Plaintiff’s IFP application omitted information necessary to determine her ability to pay court fees and costs, specifically (1) her total amount of net monthly salary; (2) her spouse’s total amount of net monthly salary; (3) the amount of cash she has and funds in her checking and savings account; (4) whether either she or her spouse owns or has any interest in any real estate, stocks, bonds, notes, retirement plans, automobiles or other valuable property, and if so, what the approximate value of those assets are; (5) whether any persons are dependent on her or her spouse; and (5) the monthly expenses she incurs, such as housing, transportation, utilities, or loan payments. *Id.* To date, Plaintiff has not filed a response to the Order to show cause.

1 The district court may permit indigent litigants to proceed IFP upon completion of
2 a proper affidavit of indigence. See 28 U.S.C. § 1915(a). “To qualify for *in forma*
3 *pauperis* status, a civil litigant must demonstrate both that the litigant is unable to pay
4 court fees and that the claims he or she seeks to pursue are not frivolous.” *Ogunsalu v.*
5 *Nair*, 117 F. App’x 522, 523 (9th Cir. 2004), *cert. denied*, 544 U.S. 1051 (2005). To meet
6 the first prong of this test, a litigant must show that he or she “cannot because of his [or
7 her] poverty pay or give security for the costs and still be able to provide him[or her]self
8 and dependents with the necessities of life.” *Adkins v. E.I. DuPont de Nemours & Co.*,
9 335 U.S. 331, 339 (1948) (internal alterations omitted).

10 After careful consideration of Plaintiff’s IFP application, the governing law, and
11 the balance of the record, the Court recommends Plaintiff’s IFP application (Dkt. 1) be
12 DENIED and Plaintiff be directed to pay the \$405.00 filing fee within 30 days of the date
13 this Report and Recommendation is adopted. If no filing fee is paid, the Clerk should be
14 directed to close the case. A proposed order accompanies this Report and
15 Recommendation.

16 Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), the parties shall have
17 fourteen (14) days from service of this report to file written objections. See *also* Fed. R.
18 Civ. P. 6. Failure to file objections will result in a waiver of those objections for purposes
19 of *de novo* review by the district judge, see 28 U.S.C. § 636(b)(1)(C), and can result in a
20 waiver of those objections for purposes of appeal. See *Thomas v. Arn*, 474 U.S. 140,
21 142 (1985); *Miranda v. Anchondo*, 684 F.3d 844, 848 (9th Cir. 2012) (citations omitted).
22 Accommodating the time limit imposed by Fed. R. Civ. P. 72(b), the Clerk is directed to
23 set the matter for consideration on **July 7, 2025**, as noted in the caption.

1 The Clerk is directed to send copies of this order to Plaintiff and to the Honorable
2 Tana Lin.

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4 Dated this 20th day of June, 2025.

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8 Theresa L. Fricke
9 United States Magistrate Judge
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